



JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Oil, Gas & Mining

MICHAEL R. STYLER
Executive Director

JOHN R. BAZA
Division Director

Certificate of Deposit Letter Agreement Addendum #1

January 18, 2007

Dove Creek Quarries, LLC,

Dove Creek Mine

M/003/016

Mr. David D. Morris, Member
Dove Creek Quarries, LLC
HC 63 Post Office Box 0001
Park Valley, Utah 84329

Mr. Jared Johnstone, Vice-President Business Services
Mountain America Credit Union
7181 South Campus Drive
West Jordan, Utah 84084

The Division of Oil, Gas and Mining (OGM) and the U.S. Department of Agriculture, United States Forest Service (USFS) have a memorandum of understanding (attached) that requires the USFS to be named as co-beneficiary on reclamation surety. Since they are currently not titled on this account, the following provision is hereby included:

It is the intention of the parties that the CD be utilized as surety to guarantee that \$65,000.00 will be available to the State of Utah, Division of Oil, Gas and Mining and U.S. Department of Agriculture, USFS upon demand in the event that the operator of the Dove Creek Mine are unable or unwilling to complete reclamation of the mine site in compliance with applicable state law and regulations.

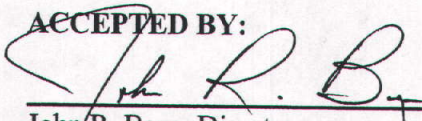
OGM will administer this reclamation surety, and act as agent for the USFS regarding all correspondence, release, and redemption of the funds per the memorandum of understanding.

Nothing herein contained shall vary, alter, or extend any provision or condition of the CD Letter Agreement and any prior addendums. To the extent any conflict exists between this addendum and the CD Letter Agreement and prior addendums, these terms shall control.

Please acknowledge with original signatures, make a copy for your records, and return this letter with to the Division.

The below signed, acknowledges and accepts these revisions and incorporates them into the January 11, 2007 Certificate of Deposit Agreement.

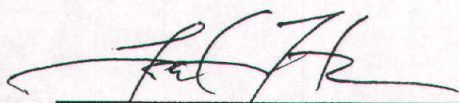
ACCEPTED BY:



John R. Baza, Director
Division of Oil, Gas and Mining

1/19/07
Date

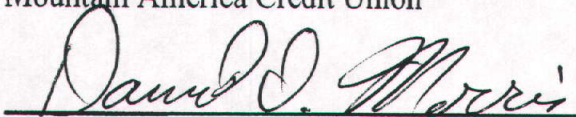
☒ **APPROVED**
ATTACHMENT A



Jared Johnstone, Vice-President Business Services
Mountain America Credit Union

1/25/07

Date



David D. Morris, Member
Dove Creek Quarries, LLC

1/30/07

Date

Addendum #1 CD Agreement Letter
Dove Creek Quarries, LLC
M/003/016

☒ APPROVED